

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

OSCAR SANCHEZ, MARCUS WHITE,  
TESMOND MCDONALD, MARCELO  
PEREZ, ROGER MORRISON, KEITH  
BAKER, PAUL WRIGHT, TERRY  
MCNICKELS, and JOSE MUNOZ, *on their  
own and on behalf of a class of similarly  
situated persons,*

*Petitioners/Plaintiffs,*

v.

Civil Action No. 3:20-cv-00832-E

DALLAS COUNTY SHERIFF MARIAN  
BROWN, *in her official capacity*, and  
DALLAS COUNTY, TEXAS,

*Respondents/Defendants.*

**ADVISORY OF RULING IN HARRIS COUNTY BAIL CASE**

Oscar Sanchez and the other plaintiffs submit this Advisory of Ruling in Harris County Bail Case to inform the Court that this/yesterday evening Chief Judge Lee H. Rosenthal issued a Memorandum and Order denying without prejudice motions for temporary restraining orders that would require Harris County to provide “formal, individualized, evidentiary hearings to determine whether [pretrial felony arrestees] could be safely released on a personal bond” and would “overturn as unconstitutional part of Governor Greg Abbott’s Executive Order GA-13, which limits state district judges’ discretion to issue personal bonds during the COVID-19 crisis.” *Russell v. Harris County, Texas*, Civil Action No. H-19-226, Doc. 122, at \*2 (S.D. Tex. Apr. 14, 2020) (copy attached). Although the ruling in the *Russell v. Harris County* case, which pre-dates the COVID-19 pandemic, does not address the distinct legal and factual issues presented by this case, which concerns the lawfulness of exposing Dallas County detainees to a virulent, life-threatening

disease rather than the necessity and timeliness of individualized bail hearings in the shadow of COVID-19, Mr. Sanchez and the other plaintiffs wish the Court to be aware of this development in a parallel effort to protect the health and lives of detainees, jail personnel, and surrounding communities.

Dated: April 15, 2020

Respectfully submitted,

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*/s/ Barry Barnett*  
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ATTORNEYS FOR  
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*\*pro hac vice application  
forthcoming*

*\*\*N.D. Texas admission  
application forthcoming*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing was served via the Court's CM/ECF system on all counsel registered with that system, and via email, on April 15, 2020.

/s/ Barry Barnett  
Barry Barnett